

REMARKS

Claims 1 and 2 are pending.

Claim 1 is rejected under 35 USC 112, second paragraph, as being indefinite. The problem is that claim 1 is drawn to a compound of the formula II yet it recites process limitations. As the examiner correctly points out, the applicants are attempting to claim a process for making the compound of the formula II, and not the compound of the formula II itself, as evidenced by claim 2.

Claim 2 has been rejected as improperly depending from claim 1.

The action states that claim 1 would be allowable if rewritten to overcome the above-discussed rejection.

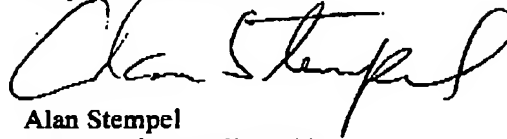
The action further states that claim 2 would be allowable if rewritten or amended to overcome the above-discussed rejection.

Claim 1 has been amended herein so as to make clear that it is directed to a method for making the compound of the formula II, and not to the compound itself. It is respectfully urged that this amendment comports with the suggestion made by the examiner and renders claim 1 allowable.

It is further respectfully urged that claim 2 properly depends from claim 1 as amended. Both claims are now directed to a process for making the compound of the formula II. Thus, claim 2 should be allowable in view of the amendment of claim 1.

It is urged that the application as amended is now in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alan Stempel", written in a cursive style.

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